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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,005	10/22/2003	Jason A. Sullivan	11072.8	8524
7590	08/12/2005		EXAMINER	
KIRTON & McCONKIE 1800 Eagle Gate Tower 60 East South Temple Salt Lake City, UT 84111				CHANG, YEAN HSI
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/692,005	SULLIVAN, JASON A.	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 22 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) 18 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 October 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/9/04 & 3/16/05</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 9 and 10 are objected to because of the following informalities: The “an external object” in claims 9 and 10 seem referring to the same external object claimed in claim 1 from which they depend, should not use an “an” as article. A “the” or “a” is suggested. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 6-7, 9-14 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Harshberger et al. (US 5,311,397).

Harshberger teaches a robust customizable computing system comprising: a processing control unit (22, fig. 1), an external object (24), and means (166) for operably connecting said processing control unit to said external object, said processing control unit introducing intelligence into said external object and causing said external object to perform smart functions (claim 1); wherein said processing control unit comprises: an

encasement module (20) comprising: a main support chassis (20) having a plurality of wall supports (for example, 30 and 32) and a plurality of junction centers (for example, at locations of 50 and 52) containing means (50 and 52) for supporting a computer component (fig. 9) therein, a dynamic back plane (36) that provides support for connecting peripheral and other computing components (see fig. 5, and col. 3, line 62 through col. 4, line 4) directly to a system bus without requiring an interface, means for enclosing said main support chassis (fig. 1) and providing access (40) to an interior portion of said encasement module, one or more computer processing components disposed within said junction centers of said encasement module (see fig. 9), and means (46 and 48) for cooling said interior portion of said encasement module (claim 2); wherein said means for operably connecting comprises a direct connection via a universal port (166) formed in a dynamic back plane (118) on said processing control unit (claim 6); wherein said means for operably connecting comprises a wired connection (fig. 10) that connects to a port (166) formed within said processing control unit (claim 7); wherein said means for operably connecting comprises means (218) for engaging an external object (claim 9); wherein said means for engaging an external object comprises a slide receiver (54) formed on said processing control unit that functions to receive a matching insert located on the external object (claim 10); wherein said external object is selected from the group consisting of any object, system, device, apparatus, component, structure, component of a structure, item of manufacture, and inanimate object (see fig. 1) (claim 11); wherein said external object comprises a workstation computer having snap-on peripheral devices that operably connect to said

processing control unit (referring fig. 15, consider POS #1 as the processing control unit, and 24 of a workstation computer at file server as the external object having a snap-on peripheral 26) (claim 12); wherein said external object comprises circuitry (214), such that said processing control unit operably connects to said circuitry (see fig. 13) (claim 13); wherein said processing control unit is non-peripheral based (see col. 3, lines22-28) (claim 14); and a method for introducing intelligence into the external object being disclosed in the specification (claims 16-17).

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3-5 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Jobs et al. (US 6,819,550 B2).

Jobs teaches a robust customizable computing system comprising: a processing control unit (159, fig. 1E; or 3306, fig.33B), an external object (161; or 3310, fig. 33B) physically supported by said processing control unit, and means (160; or 3302, fig. 33B) for operably connecting said processing control unit to said external object, said processing control unit introducing intelligence into said external object and causing said external object to perform smart functions (claims 1 and 15); wherein said means

for operably connecting comprises means for physically coupling said processing control unit to said external object, such that said processing control unit functions as a load bearing component (see fig. 33B) (claim 3); at least one other processing control unit (153) operably connected to said external object (see fig. 1E) (claim 4); and wherein said processing control unit comprises a load bearing structure (3318B) (claim 5).

6. Claims 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Dickie (US 2004/0268005 A1).

Dickie teaches a robust customizable computing system (100, fig. 1) comprising: a processing control unit (102), an external object (104), and means (420) for operably connecting said processing control unit to said external object (claim 1); and wherein said means for operably connecting said processing control unit to said external object comprises a wireless connection (the connection may be wireless as stated in [0005]) (claim 8).

Allowable Subject Matter

7. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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8. The following is a statement of reasons for the indication of allowable subject matter: The best prior art of record, Harshberger et al. (US 5,311,397), Jobs et al. (US 6,819,550 B2), and Dickie (US 2004/0268005 A1), taken alone or in combination, fails to teach or fairly suggest a method for introducing intelligence into an external object from a processing control unit comprising a non-peripherals-based encasement module comprising a tri-board electrical printed circuit board configuration removably secured within said encasement module as set forth in claim 18.

Correspondence

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system,

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see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
August 11, 2005



YEAN-HSI CHANG
PRIMARY EXAMINER